



5:16 pm, 9/23/21

United States District Court**For The District of Wyoming**

Alan B. Johnson, United States District Judge

**Margaret Botkins
Clerk of Court**

Becky Harris, Courtroom Deputy
Melanie Sonntag, Court Reporter
Zigmas Polinauskas, Law Clerk

September 23, 2021
Cheyenne, Wyoming

Case No. 19-cr-00026-ABJ, 21-cr-00014-ABJ

USA,

Plaintiff's Attorney: Eric Heimann
Thomas Szott

Plaintiff,

v.

Justin Wallace Herman, Charles Winifred
Winters, Jr, Ian Horn,

Defendants.

Defendant's Attorneys: Tom Fleener
Zenith Ward
Tom Jubin

**COURTROOM MINUTES
JURY TRIAL - Day 3**

- 8:34 a.m. Court resumes. Jury returns to the courtroom. Alex Scoufis returns to the witness stand. Direct Examination by Mr. Szott continues.
(Exhibit(s): 503, 504, 505, 312 - received conditionally, 319 - demonstrative only – w/ Examples A, B, C, D and E)
- 9:48 a.m. Cross Examination of Alex Scoufis by Mr. Fleener.
- 9:59 a.m. Court recessed for break.
- 10:21 a.m. Court resumes. Cross Examination of Alex Scoufis by Mr. Fleener continues.
- 10:40 a.m. Cross Examination of Alex Scoufis by Mr. Ward.
- 10:53 a.m. Cross Examination of Alex Scoufis by Mr. Jubin.

- 10:55 a.m. Re-direct Examination of Alex Scoufis by Mr. Szott.
- 10:58 a.m. **The United States calls Special Agent Jason Berryhill.** Witness placed under oath. Direct Examination by Mr. Heimann.
(Exhibit(s): 1006, 1008, 100, 101, 5.1, 5.2, 5.4, 5.5, 5.13, 11.1, 11.2, 15.2, 15.3, 19.1, 19.2, 20, 24.1, 24.2, 24.3, 515)
- 12:11 p.m. Court recessed for lunch.
- 1:33 p.m. Court resumes. Jury returns to the courtroom. Direct Examination of Special Agent Jason Berryhill by Mr. Heimann continues.
(Exhibit(s): 516, 102, 5.3, 305, 306, 307, 603)
- 2:07 p.m. Cross Examination of Special Agent Jason Berryhill by Mr. Jubin.
- 2:42 p.m. **The United States calls Sonia Hacker.** Witness placed under oath. Direct Examination by Mr. Heimann.
(Exhibit(s): 3.1, 1002, 22.1, 27.1)
- 3:01 p.m. Cross Examination of Sonia Hacker by Mr. Ward.
- 3:02 p.m. Cross Examination of Sonia Hacker by Mr. Jubin.
- 3:04 p.m. Court recessed for break.
- 3:27 p.m. Court resumes. Jury returns to the courtroom. **The United States calls Nadine McCreery.** Witness placed under oath. Direct Examination by Mr. Szott.
(Exhibit(s): 309, 310, 311)
- 3:59 p.m. Cross Examination of Nadine McCreery by Mr. Fleener.
- 4:00 p.m. Cross Examination of Nadine McCreery by Mr. Ward.
- 4:15 p.m. Re-Direct Examination of Nadine McCreery by Mr. Szott.
- 4:16 p.m. Re-Cross Examination of Nadine McCreery by Mr. Fleener.
- 4:17 p.m. **Defendant Winters calls Patrick Kelley McCreery.** Witness is taken out of order. Witness placed under oath. Direct Examination by Mr. Ward.
- 4:51 p.m. Cross Examination of Patrick Kelley McCreery by Mr. Heimann.
- 4:56 p.m. Re-Direct Examination of Patrick Kelley McCreery by Mr. Ward.

- 5:01 p.m. Jury given instruction and excused for the day. Matters discussed outside the presence of the Jury.
- 5:12 p.m. Court recessed until 9/24/2021 at 8:30 a.m.

Day 3 witnesses:

Alex Scoufis
Special Agent Jason Berryhill
Sonia Hacker
Nadine McCreery
Patrick Kelley McCreery